

MICHAEL A. JACOBS (CA SBN 111664)  
MJacobs@mofo.com  
ARTURO J. GONZÁLEZ (CA SBN 121490)  
AGonzalez@mofo.com  
ERIC A. TATE (CA SBN 178719)  
ETate@mofo.com  
RUDY Y. KIM (CA SBN 199426)  
RKim@mofo.com  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
Telephone: 415.268.7000  
Facsimile: 415.268.7522

KAREN L. DUNN (*Pro Hac Vice*)  
kdunn@bsflp.com  
HAMISH P.M. HUME (*Pro Hac Vice*)  
hhume@bsflp.com  
BOIES SCHILLER FLEXNER LLP  
1401 New York Avenue, N.W.  
Washington, D.C. 20005  
Telephone: 202.237.2727  
Facsimile: 202.237.6131

*Counsel for Defendants*  
UBER TECHNOLOGIES, INC.  
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,  
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MAXWELL V. PRITT  
IN SUPPORT OF DEFENDANT UBER  
TECHNOLOGIES, INC.'S AND  
OTTOMOTTO, LLC'S MOTION TO  
COMPEL WAYMO TO SUPPLEMENT  
RFA & INTERROGATORY RESPONSES  
AND TO PRODUCE AN UNREDACTED  
DOCUMENT**

Judge: Hon. Jacqueline Scott Corley  
Trial Date: October 10, 2017

1 I, Maxwell V. Pritt, declare as follows:

2 1. I am Counsel at the firm Boies Schiller Flexner LLP representing Defendants Uber  
3 Technologies Inc. and Ottomotto LLC (collectively, “Uber”) in this matter. I am a member in good  
4 standing of the Bar of the State of the California. I make this declaration in support of Uber’s Motion to  
5 Compel Waymo To Supplement RFA & Interrogatory Responses. I make this declaration based on  
6 personal knowledge and if called as a witness, I could and would competently testify to the matters set  
7 forth herein.

8 2. On July 25, 2017, Waymo LLC served its Second Set of Common Requests for  
9 Admission to Defendants Uber, Ottomotto, LLC, and Otto Trucking LLC and Plaintiff’s Fifth Set of  
10 Common Interrogatories to Defendants. On July 25, 2017, Uber served on its Fifth Set of Requests for  
11 Admission (Nos. 37-45) and Eighth Set of Interrogatories (Nos. 29-50). July 25, 2017, was the last date  
12 on which the parties could serve discovery requests in order to receive responses by the close of fact  
13 discovery.

14 3. Attached as **Exhibit 1** is a true and correct copy of Waymo’s Responses and Objections  
15 to Ten Interrogatories Selected Pursuant to Order Granting In Part Motion to Compel Interrogatory  
16 Responses, Dkt. 1173 (Interrogatory Nos. 26, 28, 29-34, and 48-49), which Uber received on August 22,  
17 2017.

18 4. Attached as **Exhibit 2** is a true and correct copy of Waymo’s Fourth Supplemental  
19 Objections and Responses to Uber’s Fifth Set of Interrogatories (Nos. 20, 24), which Uber received on  
20 August 30, 2017.

21 5. Attached as **Exhibit 3** is a true and correct copy of emails between me, counsel for  
22 Waymo Jeff Nardinelli, Special Master John Cooper, and others between August 27 and 28, 2017.

23 6. Attached as **Exhibit 4** is a true and correct copy of Waymo’s Response and Objections to  
24 Defendant Uber Technologies, Inc and Ottomotto LLC’s Fifth Set of Requests for Admission (Nos. 37-  
25 45).

26 7. Attached as **Exhibit 5** is a true and correct copy of Waymo’s Objections and Responses  
27 to Uber’s Fifth Set of Interrogatories (Nos. 18-24), which Uber received on August 2, 2017. Judge Alsup  
28 affirmed Judge Corley’s order that Waymo supplement certain of these interrogatories on August 29,

2017. (Dkt. 1410). To date, Uber has not received a supplemental response to Interrogatory Nos. 18 or 19.

8. During a meet and confer call discussing RFA No. 40, counsel for Waymo Andrea Roberts argued that the information that was requested by RFA No. 40 is uniquely in Levandowski's possession.

9. Attached as **Exhibit 6** is a true and correct copy of emails between me and Waymo counsel Andrea Roberts (and the Special Master and others on some emails) dated between August 27 and 29, 2017.

10. Attached as **Exhibit 7** is a true and correct copy of a document bearing bates number WAYMO-UBER-00056880, which was produced by Waymo on August 23, 2017, the day before fact discovery closed.

11. Attached as **Exhibit 8** is a true and correct copy of emails between me and counsel for Waymo Jeff Nardinelli (and the Special Master and others on some emails) between August 29 and 31, 2017.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 31st day of August, 2017, in Oakland, California

/s/ Maxwell V. Pritt

Maxwell V. Pritt

#### ATTESTATION OF E-FILED SIGNATURE

I, Karen L. Dunn, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Maxwell V. Pritt has concurred in this filing.

/s/ Karen L. Dunn

Karen L. Dunn